

City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-105B
Date Filed: 9-11-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **0 Kimberly Road, S.W.**, be changed from the R-1 (Single-family Residential) District to the R4B (Single-family Residential) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 30 of the 14th ff District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 30 OF THE 14TH DISTRICT OF FORMERLY FAYETTE, NOW FULTON COUNTY, GEORGIA, CONTAINING 15.29 ACRES, MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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BEGINNING AT A 1.0-INCH CRIMP TOP PIPE LOCATED AT THE INTERSECTION OF THE SOUTH LINE OF SAID LAND LOT 30 AND THE WESTERN RIGHT-OF-WAY LINE OF SEABOARD COASTLINE RAILROAD (100-FOOT RIGHT-OF-WAY);

THENCE NORTH $87^{\circ}57'45''$ WEST, ALONG THE SOUTH LINE OF SAID LAND LOT 30, 890.00 FEET TO A POINT;

THENCE NORTH $87^{\circ}57'45''$ EAST, ALONG THE SOUTH LINE OF SAID LAND LOT 30, 59.16 FEET TO AN IRON PIN SET ON THE EASTERN RIGHT-OF-WAY LINE OF KIMBERLY ROAD (60-FOOT RIGHT-OF-WAY);

THENCE IN A NORTHERLY AND NORTHEASTERLY DIRECTION ALONG THE EASTERN RIGHT-OF-WAY LINE OF KIMBERLY ROAD AND FOLLOWING THE CURVATURE THEREOF, THE FOLLOWING COURSES AND DISTANCES:

- COUNTERCLOCKWISE ALONG THE ARC OF A CIRCULAR CURVE, AN ARC DISTANCE OF 203.09 FEET TO A POINT (THE PRECEDING ARC BEING SUBTENDED BY A CHORD BEARING NORTH $20^{\circ}20'20''$ EAST, A DISTANCE OF 202.71 FEET AND HAVING A RADIUS OF 953.93 FEET);
- COUNTERCLOCKWISE ALONG THE ARC OF A CIRCULAR CURVE, AN ARC DISTANCE OF 165.98 FEET TO A POINT (THE PRECEDING ARC BEING SUBTENDED BY A CHORD BEARING NORTH $09^{\circ}46'54''$ EAST, A DISTANCE OF 165.77 FEET AND HAVING A RADIUS OF 953.93 FEET);
- NORTH $02^{\circ}01'34''$ EAST, 374.76 FEET TO A POINT; CLOCKWISE ALONG THE ARC OF A CIRCULAR CURVE, AN ARC DISTANCE OF 189.52 FEET TO A POINT LOCATED AT THE INTERSECTION OF THE EASTERN RIGHT-OF-WAY LINE OF KIMBERLY ROAD AND THE SOUTHERN RIGHT-OF-WAY LINE OF MELVIN DRIVE (50-FOOT RIGHT-OF-WAY) (THE PRECEDING ARC BEING SUBTENDED BY A CHORD BEARING NORTH $14^{\circ}06'14''$ EAST, A DISTANCE OF 188.12 FEET AND HAVING A RADIUS OF 449.55 FEET);

THENCE SOUTH $84^{\circ}14'28''$ EAST, ALONG THE SOUTHERN RIGHT-OF-WAY LINE OF MELVIN DRIVE, 113.50 FEET TO A POINT LOCATED AT THE INTERSECTION OF THE SOUTHERN RIGHT-OF-WAY LINE OF MELVIN DRIVE AND THE NORTHWEST CORNER OF LOT 13, KIMBERLY CROSSING SUBDIVISION PHASE I, PURSUANT TO PLAT RECORDED IN PLAT BOOK 190,

PAGE 124, OFFICE OF THE CLERK OF THE SUPERIOR COURT OF FULTON COUNTY, GEORGIA;

THENCE SOUTH 05°45'34" WEST, ALONG THE WEST LINE OF SAID LOT 13, 180.00 FEET TO AN IRON PIN SET;

THENCE SOUTH 84°14'28" EAST, ALONG THE SOUTH LINES OF LOTS 13, 12, 11, 10, 9 AND 8, KIMBERLY CROSSING SUBDIVISION PHASE I, 600 FEET TO AN IRON PIN SET;

THENCE NORTH 05°45'34" EAST, ALONG THE EAST LINE OF LOT 8, KIMBERLY CROSSING SUBDIVISION PHASE I, 180.00 FEET TO A ½-INCH REBAR FOUND ON THE SOUTHERN RIGHT-OF-WAY LINE OF MELVIN DRIVE;

THENCE SOUTH 84°14'28" EAST, ALONG THE SOUTHERN RIGHT-OF-WAY LINE OF MELVIN DRIVE, 117.00 FEET TO A ½-INCH REBAR FOUND AT THE POINT OF INTERSECTION OF THE SOUTHERN RIGHT-OF-WAY LINE OF MELVIN DRIVE AND THE WESTERN RIGHT-OF-WAY LINE OF SEABOARD COASTLINE RAILROAD;

THENCE SOUTH 02°21'30" WEST, ALONG THE WESTERN RIGHT-OF-WAY LINE OF SEABOARD COASTLINE RAILROAD, 861.55 FEET TO A 1-INCH CRIMP TOP PIPE AND THE **POINT OF BEGINNING**.

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